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Convention on the Elimination of All Forms of Discrimination against Women

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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the initial report of the State of Palestine

Addendum

Replies of the State of Palestine*

[Date received: 19 February 2018]

* The present document is being issued without formal editing.

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Legislative, policy framework and harmonization of laws

1. With regard to steps taken to integrate into national legislation the provisions of the Convention, a request for interpretation has been sent to the Supreme Constitutional Court, which is the body responsible for interpreting the provisions of the Basic Law of the State of Palestine. The request for interpretation asks for a definition of the nature of the Basic Law of the State of Palestine with regard to the incorporation of international law into domestic law; whether the legal system is monist, dualist or hybrid; what party is responsible for enforcing international conventions and incorporating them into the domestic legal system; and what is the legal standing of international conventions in relation to other legislation. For those purposes, it requests interpretation of article 10 of the Palestinian Basic Law. Decision No. 4 (2017) of the Supreme Constitutional Court provides that international conventions are superior to local legislation, as consistent with the national, religious and cultural identity of the Palestinian people. This means that international conventions must be incorporated into the laws in force through harmonization.

2. The definition of discrimination set forth in the Convention on the Elimination of All Forms of Discrimination against Women has been adopted in the draft decree-law concerning protection of the family from violence. That text sets forth penalties for discrimination against women. It also provides that the customs and traditions prevalent in society shall not be deemed to authorize avoidance of the obligations set forth in the draft law. The draft is currently before the harmonization committee for review.

3. The conventions will be published in the Palestinian *Official Gazette* once their standing and the mechanism for their enforcement have been defined by the competent authority. Once the conventions have been published in the *Official Gazette*, any judge will have the right to cite and invoke their provisions when issuing a judgement.

4. The legislative harmonization committee is currently looking into measures to repeal legislation that is discriminatory against women. The committee has effectively begun work. It has started reviewing the draft Palestinian penal code and reviewing the draft decree-law concerning protection of the family from violence. There now exists a Committee on Gender-Fair Legislation, which is a technical committee under the National Committee to Combat Violence against Women, comprising governmental and civil society institutions. The Committee has developed a legislative harmonization plan for 2018 that is specific to the Convention and encompasses several laws, namely the Code of Criminal Procedure, the Penal Code, the Personal Status Code and the Electoral Code. International human rights and gender standards have been taken into consideration when drafting certain laws. For instance, Law No. 17 (2016) on sharia enforcement provides for positive discrimination in favour of women; for example, it prohibits the imprisonment of women when they are pregnant, or within three months of giving birth, or until their child is two years old. It also includes measures to improve the legal means to ensure payment of entitlements and to improve the effectiveness of judgments enforcing payment of financial entitlements resulting from marriage contracts.

5. Local courts cannot invoke the provisions of international conventions in their judgements unless the latter have been published in the *Official Gazette*. That task is currently being performed by a team consisting of 29 civil judges specializing in gender issues, who are drawn from various levels of the judiciary and various regions, with equal representation of men and women, and with support from the Sawasyah Programme. Fourteen members of the team, along with administrators who specialize in court administration, are taking part in a training course in Morocco. Work is under way to organize another training course for the remaining members. A training plan

has been developed for 2018 with a view to harmonizing the decisions of courts with international conventions and gender concepts. A harmonized procedure manual has been formulated for public prosecutors who interact with the victims of violence. Work is under way to train prosecutors, administrative staff and service providers on the guide. Action is being taken to prepare a guide specifically for child victims of violence, older persons and persons with disabilities.

6. Also with support from the Sawasyah Programme, judges and lawyers specializing in gender-based violence have been trained, and international conventions and international law have been listed as a required subject in the curriculum for judges and sharia court prosecutors. The aim is to institutionalize sustainable sharia judicial training on both an introductory and a continuous basis. That need has been added to the sharia justice strategic project as part of the justice sector plan for the period 2017–2022 in accordance with the National Policy Agenda. Action will be taken to put in place a programme to train judges on how to base their judgments on international conventions. Judges will also be trained to use their discretionary authority in ways that make their judgments more effective and promote best practices in personal status cases. The sharia justice system has endeavoured to meet the training needs of lawyers who appear before the sharia courts as part of the sectoral plan for the period 2017–2022.

7. With regard to the training of imams, a number of training programmes are in place to raise awareness of gender-based violence, reproductive health and inheritance.

8. Several actions have been taken to put in place a legal framework regulating women's rights. For instance, the draft law concerning protection of the family from violence includes provisions for the protection of women from violence that are consistent with the Convention. Those measures make it easier for women victims to access justice and ensuring that anyone who commits such crimes against them is prosecuted. Work is being done to amend certain articles of the Penal Code. For example, article 99 on mitigating circumstances is being amended to ensure that it does not apply to crimes against women and girls. Action is also being taken to repeal article 308, which provides for prosecution and the enforcement of judgments to be suspended if the perpetrator marries the victim, where the crime in question is one of the sexual offences listed in articles 292 to 307 of the Penal Code in force in the West Bank. Numerous other amendments have recently been made to certain provisions of the penal laws in force in the West Bank and the Gaza Strip. These are referred to in the initial report.

9. The Personal Status Code is part of the 2018 legislative review. In addition, the sharia justice system is working to promote independent reasoning (*ijtihad*) in the absence of a binding provision, in a manner consistent with the Arab and Islamic commitment enshrined in the 2004 Arab Charter on Human Rights, which was adopted under the aegis of the League of Arab States and is based on the 1990 Cairo Declaration on Human Rights. No amendment has been made with regard to inheritance. However, the transfer of assets must take place four months after the death in order to ensure that nobody takes advantage of the woman's grief. With regard to marriage and divorce, measures have been taken to ensure that, if the husband wishes to marry again or to divorce, he must notify the wife formally through the courts and register the process formally. The best interests of the child are taken into consideration when awarding custody.

10. The 2017–2022 Cross-Sectoral National Gender Strategy: Promote Gender Equality and Equity addresses a set of laws, namely the Penal Code, the Code of Criminal Procedure, the Civil Service Act, the Personal Status Code, the Labour Act and the Pension Act. Policies and interventions have been incorporated into a plan to

protect women, realize justice, develop and enforce legislation regulations regulating human rights, and ensure that victims of violence have fair access to services, particularly justice sector services.

11. At its twenty-eighth session, held in January 2018, the Palestinian Central Council reaffirmed its commitment to the reconciliation agreement signed in May 2011 and its implementing mechanisms and understandings, the most recent of which was the 2017 Cairo agreement. The Council decided that the means should be provided to support and bolster implementation of the agreement, and that the Government of national consensus should be enabled to exercise its full responsibilities in the Gaza Strip in accordance with the amended Basic Law. A general election should then be held, and the Palestinian National Council should be convened no later than the end of 2018 with a view to realizing the political partnership in the context of the Palestine Liberation Organization. Action should be taken to form a national unity Government in order to strengthen the national partnership and the unity of the Palestinian political system.

12. We understand that there is a need to harmonize the laws in force in the West Bank, including occupied Jerusalem, and the Gaza Strip. For example, there is consensus among Palestinians regarding the need to raise the age of marriage and address the provisions on custody, alimony and other issues. As a proactive step in preparation for national reconciliation, a judicial committee was formed in 2015 to review legislation regarding the sharia justice system. The committee has prepared harmonized laws regulating the work of the sharia courts. In 2017, a multidimensional needs analysis was conducted with regard to sharia courts in the West Bank, including occupied Jerusalem, and the Gaza Strip. The analysis should pave the way for action to improve services and plug the gaps that emerged during the period of division. The sharia system now has a database that provides a preliminary view of the situation of sharia courts, particularly those that were under the oversight of the de facto government during the period of division. In 2018, an analytic survey of sharia courts will be carried out with a focus on gender and childhood in the context of personal status issues.

13. Once the reconciliation is complete, the priority step will be to hold legislative elections for the Palestinian Legislative Council with a view to working towards harmonizing the legislation in force in the West Bank, including occupied Jerusalem, and the Gaza Strip, and to adopting legislation for the State of Palestine that is consistent with international conventions.

Data collection

14. The Palestinian Central Bureau of Statistics is the official entity responsible for collecting and disaggregating statistics. A comprehensive database based on the sustainable development goals and indicators has been developed. The judiciary and public prosecutors are developing the Mizan programme to collect and disaggregate statistics in a manner that ensures confidentiality and easy access to information, including the actions taken for each complaint, from the moment it was submitted until the end of the judicial process and enforcement of the judgement. Memorandums connected with the appointment of experts, summonses and personal status hearings are also collected.

Access to justice

15. The relevant laws, namely the Personal Status Code and the legislation on the composition of courts and the proceedings of sharia prosecutions, are enforced before sharia courts. They are largely based on the Islamic sharia and are enshrined in

legislative principles. The legislative system in force does not include any discriminatory provision denying women the right to litigate.

16. In accordance with article 4 of the Palestinian Basic Law, the Islamic sharia is a primary source of legislation, as opposed to the primary source of legislation. Palestinian law also draws on other sources. Accordingly, the legislation based on the Islamic sharia has the same status as civil law, and does not have priority. In the absence of a legal provision, the courts apply the prevailing rule from the school of Abu Hanifah, which is the most moderate interpretation of the sharia.

17. As sharia and ecclesiastical courts are independent of the civil courts, appeals against their decisions are filed before the sharia and ecclesiastical courts of appeal, and subsequently before the sharia or ecclesiastical supreme courts, depending on the denomination in question. Judgments are enforced by a specific enforcement department.

18. There is no legal provision preventing rural women from accessing the courts. Legislation grants that right to all people without distinction; it is a matter of whether individuals are willing and able to go through the courts. Thirteen such courts have been established near the Bedouin municipalities, villages and settlements, as compared to the 24 courts of first instance in the West Bank. There is a total of 35 courts of first instance in Palestine, including occupied Jerusalem, alongside three review bodies for the centre, north and south of the West Bank, respectively, two review bodies for the Gaza Strip, and a single supreme court, alongside another body in the Gaza Strip. That situation should ensure that women have the necessary time, energy and funds, and should promote their access to justice.

19. In the sharia justice system, family counselling units and the infrastructure of the courts of first instance have been developed. In the period 2015–2017, additional social workers were hired and trained at 14 courts. The family counselling units offer legal advice before litigation. In 2016, the units handled a total of 4,476 cases in the West Bank. The sharia justice system works continuously to ensure that women can visit the offices of prosecutors who work on personal status cases in the courts of first instance. They endeavour to offer legal representation as a free public right in cases involving proof of marriage, proof of paternity and proof of divorce at the various stages of litigation. Most of the women are from Bedouin and rural settlements or from areas that are marginalized, besieged or under pressure from the occupation and poverty. There was a total of 298 such cases in 2016 in the West Bank, including occupied Jerusalem. Information regarding sharia courts in the Gaza Strip was not available.

20. The office of the public prosecutor provides its services in 13 governorates, and a women's rights unit has been established whose functions include receiving complaints. A gender unit has also been created, and prosecutors have been assigned to work on family and juvenile issues. The office of the public prosecutor is working to ensure that cases of violence are not resolved through informal mechanisms. It does so by taking part in the personal status hearing and rejecting any measures that are inconsistent with the interests of the victim, such as marriage with her rapist.

21. The adoption of the law concerning protection of the family from violence will help to facilitate the litigation process: it exempts all cases from fees and defines them as urgent at all stages of litigation. In the period 2016–2017, acting in partnership with civil society organizations, the sharia justice system helped to raise awareness among women by conducting media campaigns and ensuring that judges are in touch with women's associations.

22. The National Legal Aid Commission has been revitalized and is currently working to prepare a strategic plan for legal aid. The latter will provide legal aid to

women in all areas (namely sharia, penal and civil cases) before the various types of court and at the various stages of litigation. By virtue of the Code of Criminal Procedure, women are entitled to legal aid in criminal cases. Civil society organizations provide representation and legal aid services to women at the various stages of litigation.

Women and peace and security

23. Security Council resolution 1325 (2000) has been incorporated into the cross-sectoral national strategies, the cross-sectoral strategy of the Ministry of Women's Affairs and the National Policy Agenda. It has also been included in the Programme of the 2018 National Budget for the State of Palestine as an indispensable part of the list of measures and recommendations on public policies. The Government has taken numerous measures to raise awareness of the resolution and the National Plan for its implementation. The ministries, competent agencies, civil society organizations and political parties have all been briefed regarding the resolution. The latter has been circulated to gender units, along with 130 booklets regarding the Plan, which has been submitted to donors, national agencies and the Local Aid Coordination Secretariat (LACS) in order to secure funding and support. The members of the Higher National Committee have put in place a follow-up and evaluation mechanism for implementation of the resolution in order to help assess progress and outcomes. Committee members also hold assessment meetings on implementation of the Plan in order to identify achievements and challenges with implementation.

24. The most significant challenges are as follows: lack of financial resources; settlement expansion; constant military and civilian interference on the part of the occupation authorities in the Palestinian areas; continuous Israeli violations aimed at isolating women from their social environment; interruption in the work of the Legislative Council; the division; limited number of civil servants trained to implement, monitor and assess the plan; and lack of financial resources for the establishment of a national observatory to collect data.

25. The National Committee is working to examine and analyse the reasons underlying the disputes and conflict. The MIFTAH organization, which is a member of the Committee, has prepared a research paper entitled "A vision for Palestinian women on the international review of United Nations resolution 1325 (2000)". The paper provides a comprehensive, strategic and policy-oriented overview of the plan's achievements and makes recommendations with a view to protecting women and holding war criminals accountable. The National Plan includes a set of measures to protect and uphold the rights of Palestinian women in conflict, particularly against the violations committed by the Israeli occupation. For instance, Government agencies, including the security agencies, are to create a database to identify and provide the requisite services in order to mitigate such situations or prevent their deterioration. The agencies that monitor and document crimes against women and girls are to gather statistics with a view to identifying the types of human rights violation and identifying the means to confront them.

26. The obstacles arising from such conflict are to be addressed by improving the quality of social, psychological, health and legal support for women and girls exposed to violence by the occupation; building institutional and individual capacities to enable women and girls who have been exposed to Israeli violence to access resources and services; and strengthening the resilience of Palestinian women and girls in confronting the effects of the Israeli occupation by developing emergency humanitarian assistance and relief programmes in accordance with the National Action Plan for the Implementation of Security Council Resolution 1325 (2000). The General Union of Palestinian Women (a member of the Committee) has organized training sessions in certain governorates, such as Bethlehem, Ramallah and Hebron,

regarding mechanisms to document Israeli violations of the rights of Palestinian women. By virtue of Decision No. 11/02/16/*mim ra' ha'* (2014), the Palestinian Government has established a ministerial committee to assess the damage resulting from the occupation's acts of aggression in all governorates of the nation, and to meet urgent needs for health care and medical relief.

27. In 2014, a consultative committee was established pursuant to a decision of the Ministry of the Interior with a view to examining the needs of women in the security service and adapting the working environment, including with regard to official uniforms and legislative review. Women account for 6 per cent of security sector staff, and action is being taken to raise the recruitment rate to 25 per cent over the coming period. The training staff have adopted a gender curriculum.

28. As regards the budget allocated to supporting the implementation of the National Action Plan, the activities under the Plan are taken care of and funded by the members of the Committee, each according to its competence. Many have been funded by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Population Fund and the Economic and Social Commission for Western Asia (ESCWA). In accordance with the decisions taken by the Council of Ministers, resources are also allocated from the general fund to compensate those affected by the occupation and foster resilience.

29. With regard to the recent reconciliation efforts, the Palestinian political parties and the General Union of Palestinian Women have been urged to include women and female leaders in their delegations. Those women and female leaders have in fact taken part in the meetings that have been held with a view to reaching an agreement between the sides.

National machinery for the advancement of women

30. Fourteen units have been established in the organizational structure. Three have specific names owing to the nature of the agency's work (namely the Women's Health Development, in the Ministry of Health; the Directorate-General of Women's Action, in the Ministry of Awqaf (Religious Endowments); and the Women's and Men's Statistics Unit, in the Statistics Authority). Five units have been established respectively in broadcasting and television, the Energy Authority, the Supreme Judicial Council, the Water Authority and the Ministry of Jerusalem Affairs.

31. The following actions have been taken to address the challenges faced by those units:

Staff have been trained, monitored and offered support and continuous guidance in preparing work plans aimed at addressing gaps based on the 2017–2022 Cross-Sectoral National Gender Strategy and assisting in the preparation of the budget with a view to ensuring that a gender dimension is included. In order to fine-tune the units' work, officials have met formally to explain gender concepts and the importance of the units' role. In cooperation with the Staff Office, and in accordance with a decision of the Council of Ministers, the organizational structure has been developed to include job descriptions and administrative scales from A4 to C in order to harmonize functions and standard conditions. Gender issues and requirements have also been integrated in the plans, policies and budgets of ministries. Programmes and policies are monitored and followed up from a gender perspective. Planning teams within the agencies work together to formulate cross-sectoral plans and the National Action Plan for the Implementation of Security Council Resolution 1325 (2000), prepare the budget and develop gender-sensitive indicators.

32. The human resources allocated to the Ministry of Women's Affairs are as follows: five staff members in the senior administration, two of whom are women;

21 first-level staff members; 20 second-level staff members; seven third-level staff members; three fourth-level staff members; and a single fifth-level staff member. The budget allocated to the Ministry for 2017 was 7,769,229 shekels, a sum that is not adequate for implementing all of its activities. Civil society organizations assist the Ministry with matters relating to the advancement of women.

33. There is no specific percentage of development assistance dedicated to implementation of women's rights. However, each official agency receives a budget that it allocates to implementation of its programmes, according to its own area of competence. Those programmes include implementing women's rights and fulfilling gender requirements.

34. The 2017–2022 Cross-Sectoral National Gender Strategy was prepared on the basis of the 2030 Sustainable Development Goals, the Cairo declaration on Arab women, the goals of the Arab Women's Organization, the National Policy Agenda, international instruments including the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Platform of Action and the National Strategy for the Implementation of Security Council Resolution 1325 (2000). In accordance with those terms of reference, and in order to ensure that the relevant provisions are implemented, the team works to identify national sustainable development priorities and foster coordination and cooperation among relevant national and international stakeholders by several means. At the institutional level, a committee has been established to follow up the sustainable development agenda, foster cooperation with partners, and incorporate priority goals in Palestine in sectoral strategies. The Sustainable Development Goals have been incorporated in the 2017–2022 plan, whose foremost objectives include eliminating all forms of discrimination against women in the public and private sectors; eliminating all forms of violence against women; particularly human trafficking and sexual and other exploitation; eliminating such harmful practices as child marriage, forced marriage and female genital mutilation; recognizing unpaid care work and domestic work; promoting shared responsibility within the family; ensuring that women participate and have equal opportunities in decision-making and other areas; and ensuring that women receive sexual and reproductive health care services. Reforms are also under way to empower women to exercise their economic rights, particularly the right to own and manage funds, inherit, obtain financial services and natural resources, and access information and communications technology.

35. The Ministry of Women's Affairs led the drafting of the report in cooperation with relevant Government institutions and in consultation with civil society organizations. An internal team drawn from all departments of the Ministry was established to follow up with the multi-sectoral national team and gather information. A first draft was prepared and submitted to the national team for consultations and comment. Consultations were then held with relevant civil society organizations, which were asked to comment on the first draft. Their comments were incorporated, and the draft was transmitted to the Ministry of Foreign Affairs and Expatriates, which chairs the national standing committee to follow up on the accession of the State of Palestine to international instruments. The latter prepared the report in its final form. The Ministry of Foreign Affairs and Expatriates and the Ministry of Women's Affairs have partnered to conduct national consultations including relevant civil society organizations. The consultations have extended to all regions: they have encompassed the West Bank, including occupied Jerusalem, and the Gaza Strip. The comments made have been included in the report. The report was ultimately transmitted to the committee of experts for final adoption, after which it was sent to the High-level Committee, which endorsed it and sent it to the President. The latter submitted it to the Committee on the Elimination of All Forms of Discrimination against Women on 8 March 2017. On 7 and 9 March 2017, the report was presented to the relevant

ministries and bodies, civil society organizations, international bodies and donors in LACS.

Temporary special measures

36. At its most recent session, the Palestinian Central Council decided to put in place mechanisms to implement its decisions to the effect that women should account for no less than 30 per cent of each institution of the State of Palestine, and to bring the laws into line with the Convention on the Elimination of All Forms of Discrimination against Women. Those actions are among the temporary special measures that the State of Palestine envisages taking in the coming period. In addition, the legislation harmonization committee is working to ensure that the legislation in force is consistent with international conventions and standards, that the gender perspective is taken into consideration, and that any provisions that discriminate against women are rescinded. The Council of Ministers has, moreover, decided to incorporate gender into budgetary programmes and to establish gender units within the ministries.

Stereotypes and harmful practices

37. With regard to changing social patterns that lead to stereotyping and the reinforcement of traditional roles of women and men in the family, things are changing gradually. There are currently many families that are led by women, or in which women are helping to earn money and take decisions. The issue will be addressed though awareness-raising campaigns to foster women's rights in various areas. Gender has been mainstreamed into curricula in order to change the stereotype of the role of women.

38. Action is being taken progressively to raise the number of women judges. There are now 37 female judges in the West Bank, as compared to 160 men. In the Gaza Strip, there are four female judges to 23 male judges.

	West Bank		*Gaza Strip*		
Judicial level	*Male judges*	*Female judges*	*Male judges*	*Female judges*	*Total*
Justice of the peace	42	19	12	2	75
		61		14	
First instance	66	10	8	1	85
		76		9	
Chief, first instance	0	0	0	0	0
		0		0	
Appeals	24	5	9	0	38
		29		9	
Chief, appeals	0	0	1	0	1
		0		1	
Supreme	28	3	6	1	38
		31		7	
Total	**160**	**37**	**36**	**4**	**237**
	197		**40**		

39. There has been a positive change in the numbers of women entering non-traditional jobs in the public prosecution service. In 2016, six women were

promoted to the rank of public prosecutor, 13 to the rank of deputy prosecutor and 14 to the rank of assistant prosecutor, a 21 per cent increase. The number of female administrators in the public prosecution service increased to 41 per cent. Women now account for 49.2 per cent of staff in the office of the public prosecutor, and 36.2 per cent of staff members in subsidiary prosecutor's offices. In 2017, all of the female assistant prosecutors were promoted to deputy prosecutor, raising the total number to 26. In the same year, one female assistant prosecutor was appointed, out of a total of five new assistant prosecutors.

40. Since 2005, the gender unit within the Ministry of Information has been working to institutionalize gender issues; adopt gender-sensitive policies; review the strategic plan for the media sector and the legislation that underpins its work, particularly the law on publications and the law on audiovisual media; follow up policies and media plans and programme policies from a gender perspective; document war crimes and crimes against humanity committed by the Israeli occupation forces against Palestinian women; and highlight a positive image of Palestinian women and their achievements in the struggle and development. The unit is supporting the production of programmes stressing the positive role of women in all domains. The press, radio and television programmes condemn all forms of violence and discrimination against women. Public and private audiovisual broadcasting give significant coverage to gender issues. The unit encourages the licensing of women-led media organizations and publications regarding women's issues. The media institution also tackles women's issues and seeks to build staff capacities in that regard. It raises women's awareness of their rights and provides equal opportunities for appointments, training and work. It highlights women's achievements and their trailblazing role, and addresses women through media campaigns in order to ensure their effective participation in all areas, including voting and standing for office. A technical media committee has been established with a view to implementing the Strategic Plan for Combating Violence against Women and developing a code of conduct to address cases of violence against women in the media.

41. The Ministry of Women's Affairs has established a gender unit within the Palestine Broadcasting Corporation. The Ministry has also formed a media team of 15 media staff members who belong to women's organizations with a view to strengthening a gender-sensitive media discourse. Staff capacities within the media organization have been improved at all levels. In late 2016, a safe and gender-sensitive media network was established. A pact of honour has been concluded between the Ministry and 17 governmental and non-governmental media organizations with a view to consolidating the positive role of the media in highlighting gender issues.

42. Article 44 of the Child Act provides that forced child marriage is a major offence, a difficult situation to which children must not be exposed, and a threat to children's psychological and physical well-being. The Personal Status Code provides that any marriage contract shown to have been concluded by force shall be annulled, unless there are children. As mentioned above, there is consensus among Palestinians regarding the importance of raising the age of marriage. The Government and civil society institutions are engaging in dialogue regarding the issue.

Gender-based violence against women

43. The draft law concerning protection of the family from violence defines family violence as follows: "Any behaviour carried out in the context of the family by one member against another, or any sex-based act that results in, or is expected to result in, psychological or physical or sexual harm, whether through an act, the threat of such, or compulsion to such, whatever the means used for that purpose, and whether the incident takes place within or outside the home". Sexual violence is defined as

follows: "The use of sexual behaviour in a forcible manner by threat, enticement, intimidation or physical force, or through sexual suggestions, whether facial expressions, words, movements or the use of tools. Penalties up to imprisonment shall be imposed for the commission of any of the aforementioned offences".

44. With regard to femicide, articles 18, 98 and 340 of the criminal legislation in force in the Occupied Palestinian Territory are no longer being enforced. As a result of training received by the public prosecutors, the legal classification of crimes against women has been toughened, and judgements are being appealed or impugned with a view to ensuring that the defendants do not escape punishment or receive a lenient sentence. Caution is exercised in respect of waivers of personal rights and conflicts of interests among parties to the case. Media campaigns encourage women and service providers to report violence. Trainers and officers have been trained to identify, monitor and report cases of violence in hospitals and primary health care centres. The training has been provided to some 67 doctors, nurses, birth attendants, social workers and mental health professionals.

45. As regards health services, family guidance clinics have been established in five hospitals and 11 health centres to assist women victims of violence in accordance with the National Referral System. The service is completely confidential. The remaining hospitals and clinics will be equipped in 2018. A harmonized procedure manual for the treatment of women victims of violence in the public and private health care sectors has been prepared and circulated to all health services. Daily and monthly records have been compiled to monitor cases of gender-based violence. These have been printed, distributed to hospitals and primary health care centres, and linked to the computerized system in order to facilitate work on the national report concerning the forms of gender-based violence.

46. Based on the findings of the National Committee to Combat Violence against Women, and in accordance with its recommendations, the draft decree-law on the protection of women from violence has been prepared and submitted to the harmonization committee for review with a view to issuance. The National Committee has also coordinated and harmonized efforts to conduct awareness-raising campaigns and formulate recommendations aimed at amending laws containing provisions that discriminate against women.

47. Family protection units are part of the structure of the Ministry of the Interior, which ensures that they continue to receive funding. However, the establishment of family protection units in the Gaza Strip is contingent on finalizing the reconciliation process. Access to justice is addressed in the section on that topic.

48. In addition to what has been mentioned previously, women's counsellors provide various social, psychological and guidance services in the various regions. In 2017, 319 women made use of those services. As part of the Women's Empowerment and Local Development (WELOD) 3 project, protection centre staff have also provided legal and social awareness-raising sessions for women victims of violence who live in protection centres, for women more generally, and for students in universities and schools in various regions. Owing to lack of resources, the staff at each centre consists of only one social worker and one lawyer.

49. There are no statistics regarding protection orders, as these are not regulated by the legislation in force. They are, however, regulated by the draft decree-law concerning protection of the family from violence. Such orders are to be issued by the Department for the Protection of the Family and Minors, the family law prosecutors, the justice of the peace or a competent counsellor. They may be issued at the request of the victim, their representative or any member of the family or witness. A breach of such orders may be punished with a fine and a prison sentence of up to a year.

50. The Ministry of Health, the Ministry of Social Development and civil society institutions provide rehabilitation and legal, medical and psychological assistance to women victims of gender-based violence. The question of legal assistance has been explained previously.

51. In 2017, counselling and legal units provided social, psychological and legal counselling services to 237 beneficiaries in Dura, Jenin and Yatta as part of an agreement concluded with the Palestinian Working Women Society in the context of the WELOD 3 project. Some 330 women and children each month were offered protection and reintegration services in protection centres, namely the Mehwar Centre, Safe House and the emergency centre in Jericho. At those locations, they were offered shelter, health and psychological care and legal aid. Other legal services were provided to 118 beneficiaries. A total of 12 women victims of violence have been registered with various universities so that they can complete their university education. One of them has graduated from the Modern University College, specializing in nursing. With support from the WELOD 3 project, a monthly study assistance grant of €200 is given to women in university education.

52. The data kept by the police regarding violence against women is disaggregated only by age category and number of complaints, and is as follows:

Age group (years)	*Number of complaints*
10–15	184
16–20	423
21–25	413
26–30	352
31–35	191
36–40	186
41–45	131
46–50	116
51–60	97
61 and over	50

The figures for the civil judicial system were as follows:

Category	*Number of victims of gender-based violence in cases decided by courts of first instance (2015)*	*Number of victims of gender-based violence in cases decided by courts of first instance (2016)*
Male and female litigants	3 745	2 908
Women plaintiffs	2 556	2 161
Women defendants	1 154	857
Male and female convicts	1 295	867
Women who received a favourable judgment	696	551
Women who received an unfavourable judgement	342	217

53. The Palestinian Central Bureau of Statistics is the agency responsible for data collection, as explained previously. Work is under way to establish an observatory on violence that will disaggregate data by gender.

54. The level of risk is determined during the personal status hearing, and this prevents high-risk cases from being referred to tribal conciliation committees. The public prosecutor, the police, the Ministry of Health and the Ministry of Social Development send representatives to attend the hearing. The draft decree-law concerning protection of the family from violence contains provisions for mediation in misdemeanour cases, minor offences and first-time offences, with the exception of cases involving incest. Mediation is permitted with the consent of both parties to the dispute or their legal representatives, and it takes place with oversight from the public prosecutor. Consent to mediation does not preclude the filing of a civil suit before the relevant court, and, when compliance with the terms of the mediation is lacking, a criminal case may proceed.

55. Work is under way to discontinue the application of article 99 of the Penal Code in force in the West Bank and the corresponding law in the Gaza Strip, which refer to mitigating factors in crimes against women and girls. In the draft law concerning protection of the family from violence, the sentences for the crimes governed by those articles have been increased.

56. There have been certain developments with respect to the repeal of the provisions of the Penal Code that ascribe guilt to both parties involved in incest. Complaints lodged with the public prosecutor's office are subject to the harmonized procedure and various factors are taken into account, such as reports by social workers and psychologists, history of violence, economic dependency, power imbalances, authority derived from law, religion or patriarchal norms, and conflicts of interest in cases of forfeiture of personal right. The draft law on protection of the family from violence provides for consideration of those issues, and protection counsellors have the right to initiate a complaint based on information that has come to light in the course of their work.

57. A legal motion has been submitted to repeal article 308 of the Penal Code in force in the West Bank, and the matter is currently on the agenda of the Council of Ministers. It should be noted that this article does not appear in the Penal Code in force in the Gaza Strip. The public prosecutor has taken steps to place restrictions on the enforcement of this article, as its provisions allow offenders to escape punishment. For example, in cases where a marriage is contracted without the knowledge of the public prosecutor, prosecution is not suspended right away; rather, certain procedures are followed. Reports by the women's and children's counsellor are consulted, and the competent authorities are contacted to verify that births are registered in the father's name and that the victim is looked after financially. The sharia courts are contacted to ensure that there has not been a divorce; if there has, the public prosecutor reopens the case.

58. The West Bank has a number of protection centres. The Mehwar Centre in Bethlehem, run by the Ministry of Social Development, provides free protection and shelter services to women victims of gender-based violence and their children. It also offers psychological and social counselling, health check-ups, legal representation and counselling, empowerment through education, training and job search assistance and family and social reintegration. In 2017 it provided shelter and protection to more than 87 victims and their children. The Ministry of Social Development contracted the services of the Nablus Safe Home from 2008 to the end of 2017. The size of its budget depends on the number of women served by the centre. The budget was included by the Ministry of Social Development within a large-scale project, undertaken with Italian cooperation, to develop and improve the centre's services and cover current expenses and employee salaries. The annual budget is €100,000 and in 2016 the centre served over 82 women and their children. The emergency centre in Jericho is supervised by the Women's Centre for Legal Aid and Counselling. It provides temporary accommodation for up to one month (with some exceptions) and

offers legal and social services for women victims of violence. In 2016 it received 27 women and their children. The emergency centre is also part of the Italian cooperation project and has a budget of €50,000. The Bethlehem G..'s' Welfare Home, run by the Ministry of Social Development, provides shelter for girls under the age of 18 and is governed by the Children Act (No. 7, 2004), as amended, and child protection procedures, especially child protection networks, which are overseen by the Directorate-General of Families and Children at the Ministry of Social Development.

59. The Gaza Strip has two centres. The first is a safe house run by the Ministry of Social Development and is the only Gaza Strip centre for women victims of violence. Its annual budget is 321,240 shekels. In 2017 it took in 181 women and 90 children at its shelter and provided non-shelter counselling services to 142 to women. The Hayat Centre for the protection and empowerment of women and families, run by the Centre for Women's Legal Research and Counselling in the Gaza Strip, can provide counselling, protection services and shelter to women victims of domestic violence. However, to date the de facto government has not allowed anyone to use the protection section. The Centre provides all services except shelter to women victims of violence, and the Ministry of Social Development is currently working on opening the shelter section.

60. Generally speaking, the Ministry of Social Development allocates funds to centres according to their operation costs or contracts services from them. In 2016, 120,000 shekels was allocated to services related to care, skills and vocational training for women victims of violence and exploitation. Also in 2016, 162,000 shekels was allocated to services for women victims of violence at Ministry centres or to contract services from centres with the relevant licences and areas of specialization. Financial support is also provided by relevant ministries as part of such projects as "Will", "Support for Gender Mainstreaming and the Empowerment of Women". A Canadian project provides support for capacity-building and awareness, the maintenance of protection centres, legislation development, Convention implementation and database development.

61. The activities of the protection centres are governed by Regulation No. 9 (2011) on protection centres and the National Referral System, which was drafted based on the Regulation. A national team has been formed for the National Referral System and a detailed procedure manual has been created to allocate roles, prevent duplication of efforts and formulate a four-year operational plan and a 2018 implementation plan. Protection centres adhere to those established procedures and mechanisms, particularly with respect to personal status hearings when personal status is changed and the women are reintegrated. The Mehwar Centre, which is overseen by the Ministry of Social Development, has held 94 personal status hearings for women victims of violence. To facilitate coordination and referral, networks to protect women victims of violence have been established in various regions in cooperation with the Ministry of Women's Affairs and the Women's Centre for Legal Aid and Counselling.

Trafficking in persons

62. The State of Palestine is in the process of developing mechanisms to prevent and combat trafficking in persons. A database is being created to monitor and document trafficking cases with a focus on collecting, studying and analysing information. In addition, a national team has been established under the Ministry of Justice to prevent and combat trafficking in persons as part of the State's anti-narcotics, crime prevention and criminal justice programmes. This team is currently in development, and one of its first outputs will be a Palestinian law to combat and prevent trafficking in persons.

63. The draft penal code is currently under review by the legislative harmonization committee to ensure that it is in line with international standards and instruments before its final version is adopted. In addition, the draft decree-law concerning the protection of families from violence contains a definition of trafficking in persons: "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, or the removal of organs". According to article 36 of the draft decree-law, anyone who commits the crime of trafficking in persons shall be imprisoned for a minimum of seven years and a maximum of twenty years and shall pay a fine ranging from twenty thousand Jordanian dinars to forty thousand dinars or a fine equal to the value of the benefit received, whichever is greater. This penalty shall be increased for acts of human trafficking involving sexual exploitation. The decree-law states that consent of the victim shall be irrelevant in cases involving any form of trafficking of women and girls. In cases where the victim is a child, the consent of the child or his or her guardian shall be irrelevant in all cases.

64. In the past month, the State of Palestine has acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. It has also joined the Arab Network against Trafficking in Persons. The Palestinian Ministry of Justice has taken part in activities sponsored by the League of Arab States in this area, such as the drafting of the protocol to the Arab Convention on the Suppression of Trafficking of Persons in the Arab Region.

65. Complaints involving trafficking cases are not documented because trafficking in persons is not explicitly criminalized in existing legislation. As a result, it is difficult to estimate the number of such cases, but the problem will be addressed by the database in development and by the promulgation of a special law.

66. Decision makers and the broader society recognize the seriousness of this crime and the need to counter it, an awareness that is reflected in the national measures and mechanisms that are being introduced to protect women and girl victims of trafficking. Growing awareness of this crime as a legal concept defined by international agencies and policymakers has been conducive to the formulation of a development perspective that is cognizant of the crime's constituent elements and its link to poverty, as poverty breeds crime and thereby undermines social safety and security.

67. Within its services for female victims of violence, the Ministry of Social Development offers protection and assistance to women and girl victims of trafficking. They may voluntarily relocate to a protection centre where all services are provided, so long as they comply with its policies. Many female victims of exploitation and trafficking have received protection and services and have been reintegrated into society.

Participation in political and public life

68. To date, there have been no presidential or legislative elections, nor have there been elections within the organs of the Palestine Liberation Organization. In the 2017 local elections, 1,770 out of a total of 6,738 candidates, or 26 per cent, were women.

Of the 3,543 individuals elected, 751, or 21 per cent, were women. Of the eight women who ran for the leadership of local councils, four were elected. As noted previously, the Palestinian Central Council adopted a resolution containing mechanisms to implement Council resolutions requiring that women occupy 30 per cent of all positions in State institutions and to harmonize Palestinian law with the Convention on the Elimination of All Forms of Discrimination against Women. The Council also drafted a policy paper raising the quota to 30 per cent in order to encourage women to take part in decision-making.

69. The National Policy Agenda 2017–2022 was developed further to the 2017–2022 Cross-Sectoral National Gender Strategy: Promote Gender Equality and Equity. The Strategy contains objectives and policies aimed at achieving a 30 per cent increase in women's participation in public life. The Agenda also sets out measures to promote women's appointment to decision-making positions and to increase awareness of the importance of women's representation in official and informal institutions, as well as measures related to the amendment of relevant legislation.

Education

70. Policymakers have been willing to integrate content on gender into new curricula. To that end, the following standards have been introduced: avoiding of gender discrimination in concepts and depictions; highlighting the importance of women to society; and emphasizing women's participation in political and public life and their appointment to leadership positions. Those curricula are now at the testing stage and may be modified after comprehensive analysis. The centre for curriculum development will make changes as necessary in order to integrate gender content.

71. Efforts are under way to reduce illiteracy by opening schools throughout the State of Palestine, especially in marginalized and remote areas, and by offering literacy courses in all governorates. These measures have increased the literacy rate in Palestine. According to data from the Palestinian Central Bureau of Statistics, illiteracy rates for 2016, by age group, were as follows: among individuals aged 15 years and up, the rate was 3.1 per cent, a mere 90,000 individuals; of these, 1.4 per cent of males and 4.8 per cent of females were illiterate. The illiteracy rate was 34.8 per cent among the elderly (65 years of age and older); 4 per cent in the 45 to 64 age group; 1.2 per cent in the 30 to 44 age group and 0.7 percent in the 15–29 age group.

72. The illiteracy rate was 4.4 per cent in rural communities, 3.0 per cent in the camps and 2.8 per cent in urban areas. The highest illiteracy rate among males was in rural areas, followed by urban areas and lastly the camps, while the female illiteracy rate was highest in rural communities, followed by the camps and lastly urban areas. A greater number of females (1,293) than males (797) were enrolled in literacy classes in 2016.

73. There is no legal barrier to education for young women who are married. The Ministry of Education and Higher Education guarantees them that right and instructs school boards to follow up. The draft law concerning protection of the family from violence addresses that issue by imposing penalties for all forms of discrimination and violence against women.

74. The law does not prevent girls from entering any field of discipline, provided they have sufficient grades for acceptance, and the rate of enrolment in higher education institutions is higher among females than males in most disciplines. Furthermore, the Ministry of Education and Higher Education has worked to raise public awareness of the importance of encouraging girls in all scientific and literary disciplines. To that end, the Ministry has opened applied post-secondary colleges, including colleges for girls such as the Palestine Technical College in Ramallah. The

Council of Higher Education also offers partial or full tuition waivers as an incentive to enrolment in scientific disciplines.

75. The Ministry of Education and Higher Education has established secondary schools for girls, particularly in the camps, in order to reduce overcrowding in schools. A school is considered to be overcrowded when the area per student is less than 1.2 m^2. The double-shift system is not a significant issue, as it affects only four schools in Hebron, two in Ramallah and one school each in Jenin and Bethlehem and will be addressed by opening new schools.

76. The Gaza Strip is exposed to repeated aggression and attacks. Most buildings have been destroyed and no place is safe. As a result, the only places available for accommodation are undamaged, or only partly-damaged, buildings such as schools. Israel, the occupying Power, has imposed a blockade on the Gaza Strip. Although it bars the entry of building and reconstruction materials into the Gaza Strip and prohibits the construction of shelters, all 187 of the schools damaged in the recent aggression against the Gaza Strip have been rebuilt and re-equipped.

77. Attrition rates for the 2016–2015 academic year were as follows:

	Primary education (%)			*Secondary education (%)*			*All levels (%)*		
Area	*Males*	*Females*	*Both sexes*	*Males*	*Females*	*Both sexes*	*Males*	*Females*	*Both sexes*
West Bank	1.04	0.31	0.68	1.79	1.18	1.44	1.12	0.43	0.77
Gaza Strip	1.55	1.62	1.59	0.70	1.04	0.88	1.46	1.55	1.51

While these rates are not high, the Ministry of Education and Higher Education has made significant efforts to lower them still further and address the effects of attrition through outreach programmes and follow-up with individuals who have left school. The Ministry has also introduced parallel education and literacy programmes. The Ministry has taken a number of measures to curb the trend. It has opened new schools and courses of study in remote areas, particularly for female students, and has provided new portable schools for nomadic Bedouin communities. Students who have left school in order to work are referred to a child protection network aimed at reducing child labour and educating those children on their right to education. The Ministry also provides programmes to integrate children with disabilities into the school system.

78. The parallel education programme is for those who have completed five to six years of primary education but have dropped out to enter the labour force. Students who remain in this programme for a period of two academic years may then take an exam to receive a ninth-grade equivalency certificate. Of the 277 students enrolled in parallel education centres in 2013–2014, 144 (or 51.99 per cent) were male and 133 (or 48.01 per cent) were female.

79. The Ministry of Social Development offers vocational training programmes and social integration for youths who have dropped out of school, persons with various disabilities and members of marginalized groups. There are approximately 26 such programmes, which are offered by seven centres in the West Bank and 12 centres in the Gaza Strip.

80. Reproductive health issues have been included in school curricula from the first through tenth grades, and an age-appropriate unit on sexual health is part of the 11th- and 12th-grade biology curricula. Human rights issues have been integrated into curricula in an age-appropriate manner.

Employment

81. Addressing unemployment, a cause of poverty and economic and social marginalization, is the main strategic priority for the labour sector for the period from 2017 to 2022. That aim is consistent with the 2017–2022 National Policy Agenda and the Sustainable Development Goals. Executive policies have created an environment conducive to the employment of youth, women and marginalized groups and the promotion of entrepreneurship, microenterprises and small enterprises. These policies have led to creative partnerships between the public and private sectors and the emergence of a well-trained workforce of female professionals that can meet the needs of the labour market. However, there remains a large workforce participation gap between men and women in the West Bank and the Gaza Strip. According to figures from the Central Bureau of Statistics, the male participation rate in 2017 was 71.2 per cent, as contrasted with a female participation rate of 19.0 per cent. In the same year, the unemployment rate stood at 22.3 per cent for men and 47.4 per cent for women.

82. In order to ensure women's economic empowerment, the Palestinian Fund for Employment and Social Protection has introduced three lending and self-employment projects to foster microenterprises. Of the 809 women helped by those projects, 50.56 per cent live in the Gaza Strip and 49.44 per cent in the West Bank. Preparations are under way to launch three additional projects in 2018, which are expected to benefit 5,000 women, 50 per cent of whom live in the West Bank and 50 per cent in the Gaza Strip. The Ministry of Labour, the Bank of Palestine, and the National Bank in the West Bank have signed memorandums of cooperation to offer zero-interest financing for small projects. The first such agreement, which focused on women with disabilities, has benefited 16 women, while the second has benefited 18. The labour sector strategy and the decent work agenda focus on supporting cooperative associations offering entrepreneurial and sustainable economic projects for men and women and increasing the quantity and quality of those projects to foster entrepreneurship and employment opportunities.

83. In order to increase employment rates among women, Palestinian universities are currently working with the Ministry of Education and Higher Education to align educational outputs with the needs of the women's labour market. The Ministry of Labour offers vocational training in many non-traditional occupations, including architectural drafting, quantity surveying, sales, maintenance of electronics, computers and networks and auto mechanics. Special measures have been introduced to help women with disabilities join the workforce. A course for persons with disabilities on career possibilities and job search techniques helped 43 such job seekers, and persons with disabilities have also received counselling on how to apply for jobs suited to their qualifications and skills as part of an effort to balance supply and demand in the labour market. In early 2018, the Ministry of Labour, in collaboration with the International Labour Organization and UN-Women launched a joint programme as part of the decent work agenda to promote equal access to economic opportunities, decent work and protection of workers' rights by bolstering equitable legislation and policies and dynamic programmes in the labour market.

84. The minimum wage is set out in Cabinet Decision No. 14/21/01/*mim-waw sin-fa'* (2012), which also provides for the Labour Inspectorate whose work was discussed in the first report. However, minimum wage compliance is difficult to monitor because the Ministry of Labour lacks the necessary resources to do so. Limited job opportunities may compel female workers to accept a wage set by the employer, even when it is less than the minimum wage. Furthermore, many women work for family enterprises that do not involve contracts or set wages.

85. Currently, there is no database of workplace sexual harassment cases because female workers are loath to report them. However, during the past three years, the Ministry of Labour formed a technical committee to conduct a comprehensive review of labour legislation, including from a gender perspective. The review clarified certain legal provisions and exceptions and discussed the need for provisions that penalize violence, including sexual harassment, in the workplace. The draft law on protection of the family from violence criminalizes violence and sexual harassment in the domestic sphere, as many women are employed by family enterprises and are thus vulnerable to harassment.

86. The Labour Act does not contain provisions regarding the availability of child care facilities at workplaces. However, women may take seventy days of paid maternity leave and one hour per day for breastfeeding for a period of one year. They may also take leave without pay in order to look after their children. Although no public child care centres exist at this time, privately-owned preschools have spread to many areas, enabling working women to place their children in facilities close to their workplaces.

87. Cabinet Decision No. 2 (2013) on domestic services lacks appropriate implementation mechanisms. Cabinet Decision No. 14 (2003) on after-hours work by women permits night shifts in a broad range of workplaces, such as hotels, restaurants, theatres, cafés, cinemas, concert halls, airports, airlines, tourism offices, hospitals, sanatoriums, clinics, pharmacies, media outlets, nursing homes, child care facilities, orphanages, facilities for the care of persons with disabilities and shops during holiday seasons. Extended hours are permitted for work related to annual inventory, budget preparation and liquidation. They are also permitted in cases where restrictions on work hours would inevitably result in financial losses for the employer, and in emergencies, with permission of the Ministry. Employers must guarantee the safety of and transportation for their female employees.

Health care

88. Women and girls have access to low-cost reproductive health services. Prenatal and post-partum care and early detection and treatment of breast and cervical cancer are free, and family planning services, including contraceptives, are offered at a nominal price. All other health-care services are free for those with Government health insurance. Pursuant to a decision of the Minister of Health, women victims of domestic violence may obtain a free medical report, and work is under way on a decision that will waive their medical fees. Health centres nationwide have disseminated audio-visual public service announcements to raise awareness of the services available for victims of domestic violence.

89. There have been some notable achievements in the arena of health care. By the end of 2016, the number of beds allotted for obstetric and gynaecological patients at Ministry of Health hospitals had increased to 502. Campaigns were launched to raise awareness around maternal and children's health, as well as prenatal and reproductive care. A healthcare education and advocacy handbook has been created for social workers, and the "Electronic Pulse" agreement has been implemented. Manuals for young married women have been published on the Ministry of Health website. Services for high-risk pregnancies have been introduced at primary care centres. An electronic version of the "Mother and Child" pamphlet has been created, and computers and staff training have been provided to 77 primary care clinics in the West Bank and 17 in the Gaza Strip.

90. A questionnaire and mechanism for reporting maternal mortality by public and private sector institutions and the United Nations Relief and Works Agency (UNRWA) have been updated and linked to a computerized system so that causes of

death can be identified and monitored and services improved. Staff, particularly the directors of obstetrics and gynaecology departments and midwives, have received training on how to complete the questionnaire and reporting mechanism. A programme has been introduced to treat critical cases involving a risk of maternal mortality during pregnancy or childbirth. In order to improve the quality of reproductive health services and reduce maternal mortality, Government hospitals have trained their staff on the updated obstetrics-gynaecology protocol; private hospitals and primary health-care centres will follow suit at a later date.

91. A number of measures have improved the quality of services. The necessary equipment has been provided and maintained, and staff have received training on its use. Obstetrics-gynaecology department staff have received training on containing infectious disease containment in the delivery and postpartum units. Post-natal care is provided, making it possible to detect and address any complications. Post-abortion care is provided as part of an array of reproductive health services. Breast cancer is screened for and treated in health clinics, which perform clinical breast exams and mammograms and refer breast cancer cases for treatment. Communities are being made aware of the need to perform breast self-examinations and on the importance of having a follow-up examination at a health centre. Some centres have been equipped with digital mammogram devices. Sexually transmitted diseases, including HIV/AIDS, are combated and treated.

92. Challenges include the shortage of health centres in remote and marginalized areas and the lack of medical staff in hospitals and health centres, especially midwives. Hospitals and health centres are also facing a shortage of equipment and instruments needed to provide health and reproductive health services; and such services, sexual and reproductive health services, are underfunded. The military barriers imposed by the Israeli occupation hinder women's and girls' access to service centres, with women sometimes being forced to give birth in a vehicle or at a checkpoint. Vulnerable and marginalized groups lack sanitary, appropriate housing, and poverty and a low standard of living pose additional challenges.

93. According to the 2016 annual Palestinian health report, 99.2 per cent of deliveries were supervised by a doctor, and the maternal mortality rate declined to 13.8 maternal deaths per 100,000 live births.

94. Abortion of an illicit pregnancy (involving rape or incest) is very rare. The procedure is performed at the behest of the office of the public prosecutor, which obtains a fatwa from the Palestinian Office of the Grand Mufti regarding the abortion of a pregnancy resulting from rape or incest. In the event of severe fetal defects, the abortion is performed on the basis of a decision taken by a specialized medical committee, in accordance with the law in force.

95. The Ministry of Health provides family planning services and makes available nearly every kind of contraceptive. The Ministry's list of essential medicines includes contraceptives, and the family planning protocol has been updated, bringing it into line with World Health Organization standards. Staff have received training on those standards with a view to reducing unwanted pregnancies.

Rural women

96. Women's participation in agricultural work has not increased because the majority of agricultural land in Palestine is under the control of the Israeli occupation; 62.9 per cent of the land is located in Area C and areas adjacent to the border in the Gaza Strip. The agricultural sector lacks accurate data and information on women's participation, as more than 60 per cent of women working in the sector are involved in unpaid family enterprises, making it difficult for either the women or the Central Bureau of Statistics to calculate or estimate their participation accurately. Moreover,

men and women farmers face a number of obstacles, including the occupation, fluctuating rainfall, climate change, and the fact that young people are eschewing agricultural work in favour of office work.

97. As explained previously, the health care services provided by the Ministry of Health do not exclude rural women. Moreover, the Ministry has taken positive discrimination measures in favour of women by integrating reproductive health services, prenatal care and family planning into primary healthcare centres and providing maternity and childcare services in those centres, thereby improving women's access to such services in marginalized and remote areas.

98. Under the auspices of the Rural Development Programme and the Agricultural Services Programme, rural women receive most of their agricultural services and acquire agricultural skills through small income-generating relief and occasionally development projects targeting poor or low-income groups. However, those projects do not put in place electricity and sanitation infrastructure. Projects to supply farmers with water networks and wells are still limited to men; they do not include women because there are many more male landowners than female landowners. In addition, fees for those services have gone up, and the Israeli occupation prohibits the use of water wells and creates obstacles to building and equipping wells and sanitation projects.

99. There are no dedicated technological capacity-building or adult education programmes; these are subsumed under rural development programmes and agricultural development programmes, which provide instruction in the sustainable management of agricultural natural resources. Areas covered include land restoration, water supply, climate change adaptation, production control and ensuring competition on the market. A programme to improve agricultural services aims to promote the resilience of men and women farmers by monitoring damage, restoring land, improving seed quality and digging wells, an act that requires the prior approval of the Israeli occupation authorities. The Government does not transport agricultural crops; that service is performed by private operators.

100. The Social Security Agency was established in 2017. Qualified personnel were selected and trained to begin implementing the decree-law on social security in 2018. In general, there is nothing preventing the application of the law on social security to private sector employees if the relevant conditions are met. These include the conclusion of a contract that provides a fixed income, the ability to make specific financial contributions, and the required years of work.

101. The proportion of beneficiaries of the Disaster Risk Reduction and Insurance Fund who were rural women was no greater than 1.1 per cent for 2014 and 2015 and 2 per cent for 2016 and 2017. This is because ownership or tenure of agricultural land is one of the conditions for receiving compensation, and most women do not own agricultural land but are instead working on agricultural projects, whether family enterprises or owned by another person.

Disadvantaged groups of women

102. Article 22 of the Basic Law provides as follows: "1- The present Law shall regulate social and health insurance and invalidity and old-age pensions. 2- The present Law shall also regulate care for the families of martyrs, prisoners and the wounded, affected and disabled, and the National Authority shall provide those categories with education, health and social insurance". The Prisoners and Ex-Prisoners Act (No. 19, 2004) provides that women prisoners and their families shall receive rehabilitation and legal and financial assistance. It also offers them and their children educational opportunities. Liberated prisoners who have spent three years in prison shall be exempt from government university fees. Moreover, posts

shall be set aside for liberated women prisoners, taking into consideration the number of years spent in prison and their level of attainment. Those services also extend to women prisoners with disabilities or women prisoners whose disabilities came about as a result of the conflict. According to the statistics kept by the Directorate-General of Persons with Disabilities in the Gaza Strip, there are 291 women with permanent disabilities resulting from the Israeli occupation and the successive wars on the Gaza Strip.

103. Coordination is under way with organizations of persons with disabilities in the West Bank, particularly those organizations dealing with women's issues. A workshop was carried out in conjunction with a number of institutions working in the area of disability to prepare to formulate the 2017–2022 Cross-Sectoral National Gender Strategy, which addresses gender and disability issues. A range of institutions of persons with disabilities participated in the preparatory workshop.

104. The 2011–2019 Strategic Plan for Combating Violence against Women contained specific provisions on women with disabilities. The Plan underscores the need to build the capacities of specialized staff to work with women victims of violence who have disabilities; to establish dedicated centres for women with mental disabilities who have been subjected to violence; to raise their awareness of their rights and to encourage them to reject violence.

105. Women victims of violence receive services from the Ministry of Social Development, including cash and in-kind assistance, assistance with health insurance for registered families that have members with disabilities, customs exemptions, empowerment of persons with disabilities under the auspices of the United Arab Emirates lending programme, auxiliary equipment for persons with disabilities, vocational rehabilitation facilitated by the Sheikh Khalifa centre in Nablus and the Sheikha Fatima centre in Bayt Ummar; and shelter for children with disabilities at the Casablanca centre in Salfit.

106. Apart from its cash transfer programmes, the Ministry of Social Development runs family empowerment programmes. A total of 14,000 projects have been implemented since 2007, 62 per cent of those projects aimed at men and 38 per cent aimed at women. The Ministry also offers a social protection programme to alleviate the economic burden on the following demographic groups in the West Bank and the Gaza Strip: households headed by women, female heads of household aged 60 and above, young female heads of household aged 15 to 29 who lost their husbands. Households in each of those categories receive health insurance, food assistance and cash assistance every three months.

107. Under the government health insurance scheme and in coordination with civil society organizations, the Foundation for the Care of the Families of Martyrs and the Injured extends cash and in-kind benefits to eligible families and medical care at home and abroad. It also provides free basic and university education for the children and wives of martyrs and the children of those injured and affected, in coordination with the Ministry of Education and Higher Education and local universities. In addition, the Foundation aims to secure foreign merit-based grants and provides rehabilitation services, training and psychological support to the injured and the relatives of martyrs and victims.

108. It should be noted that Israel, the occupying Power, is occupying the entire Palestinian territory, not only some areas of it. The Israeli occupation's persistent illegal practices, repeated aggression against the Palestinian people, extrajudicial executions, arbitrary arrests and targeting of the Palestinian people, which deprive it of its right to life, have robbed many women and young mothers of their children and spouses. As explained in the initial report, no distinction is made between refugee and non-refugee Palestinians as far as the rights to education, employment and health are

concerned. Nevertheless, the Palestine Liberation Organization's Department of Refugee Affairs is responsible for upholding refugee rights, in coordination with the UNRWA, and regulating the living conditions and the quality of services provided in refugee camps.

109. UNRWA schools provide free education under the supervision of the Ministry of Education and Higher Education, with 252 schools serving over 240,400 pupils of both genders in the Gaza Strip. In the West Bank, UNRWA provides only primary education; secondary pupils must attend government schools. UNRWA operates 99 educational establishments that serve over 50,000 pupils. UNRWA also operates vocational training centres that equip over 1,400 pupils with business and industrial skills.

110. No distinction is made between refugees and non-refugees joining the labour market. In addition, the Agency's vocational training programmes and specialized associations, intended exclusively for the children of refugees, award diplomas and are classified as community colleges. The UNRWA Department of Microfinance provides loans and complementary financial services to households, entrepreneurs and small business owners, including women and youth. The Ministry of Health and UNRWA health centres provide health services to refugees. The Agency's health programme also provides refugees with comprehensive primary health care services, both preventive and curative.

111. The country office of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in the Occupied Palestinian Territory also helps meet humanitarian needs to confront the Israeli occupation, natural disasters and extreme weather events.

112. With regard to the situation of women and girls in detention, the laws in force in Palestine provide for measures that would prevent inmates in police custody and correction and rehabilitation centres from living in substandard conditions. Additional provisions regulate the health and living conditions of women and girls in correction and rehabilitation centres, affording them special treatment, as mentioned in the initial report. They are allowed to communicate with the outside world more often, granted two uninterrupted visits per week and regular telephone calls. They are supplied with hygiene products. The administration of the correction and rehabilitation centres attend to the particular needs of women inmates and any children born to them in the centres, including clothing and treatment. Women inmates are given the opportunity to complete their education and to participate in cultural and sporting activities.

113. A manual on standard operating procedures for health services in correction and rehabilitation centres was published in July 2017. The manual's purpose is to ensure that inmates have access to health care, to empower centre staff and to raise their awareness of their professional roles, responsibilities and authority. The manual contains numerous guidelines on care for women inmates. With the support of UN-Women, and as part of a project entitled "Security and justice for the Palestinian people", which seeks to promote the rule of law in the Occupied Palestinian Territory, a number of activities are being undertaken to protect the rights of women inmates in correction and rehabilitation centres. Those activities include providing women inmates with psychological support, offering income-generating training workshops, hiring lawyers to provide legal support to women inmates who do not have a lawyer, providing counselling to physically disabled women and meeting the personal needs of women inmates.

114. In 2017 the number of women inmates admitted to correction and rehabilitation centres in the West Bank, by age group, are as follows:

Under 18	*18–19*	*20–29*	*30–39*	*40–49*	*50–59*	*Over 60*
None	8	67	64	55	33	4

It should be noted that most crimes involved non-payment of debt (69 women inmates), followed by theft (26 women inmates), abuse (19 women inmates), issuing a bounced cheque (18 women inmates) and fraud and forgery (18 women inmates).

115. However, the Independent Commission for Human Rights has documented that a number of women have been subjected to violations of their right to liberty and security of person. The Commission has received 39 complaints of violations of women's right to liberty and security of person, 18 in the West Bank and 21 in the Gaza Strip. Most of the complaints were submitted by the victims themselves. The complaints included 47 violations, 21 in the West Bank and 26 in the Gaza Strip. The types of violations ranged from searches without a warrant (10 cases) and arbitrary detention (17 cases) to a failure to respect human rights (20 cases).

Marriage and family relations

116. Paragraphs 311 to 323 of the initial report provide a detailed account of the legal capacity of women. All legal provisions that are discriminatory against women will be reviewed and brought into line with the Convention.

117. At base, a woman's financial assets are independent of those of her husband, unless it is shown that her assets come from her husband's earnings. In that case, her assets are counted as part of his once he files for bankruptcy, or if his earnings were the proceeds of a crime he committed involving public funds. This should not be seen as discriminatory against women. Rather, it is a mechanism to prevent funds from being smuggled, to safeguard the rights of others and to prevent impunity.

118. No amendment has been made to the evidentiary rule that considers the testimony of a man to be equivalent to that of two women. This matter will be addressed once a Palestinian personal status law is enacted.

119. All provisions relating to custody are being addressed in the draft personal status law in a manner that strikes a balance between the interests of the foster caregiver, the child and the guardian to the extent possible. The best interests of the child are taken into consideration in each case.

120. At present, there is no move to amend the ban on marriage between a Muslim woman and a non-Muslim man. Personal status laws in the West Bank, occupied Jerusalem and the Gaza Strip prohibit the marriage of a Muslim woman to a non-Muslim man and regard the marriage as invalid.

121. As noted in the initial report, the guardian may not annul the marriage by withholding consent for it. However, the guardian may dispute the husband's financial competence. He may do so only before the sharia judge, who shall allow divorce only if certain conditions are met.

122. No steps have been taken to amend the provision that grants men the unilateral right to divorce. However, the husband is required to register the divorce formally through the courts and notify the wife should the divorce proceed. The matter will be addressed when the Palestinian personal status law is enacted.

123. As mentioned previously, there is governmental and societal consensus regarding the need to raise the age of marriage in accordance with the international conventions to which the State of Palestine has acceded. Such a provision is being included in the relevant draft laws with a view to eliminating eliminates the multiplicity of legal references.

124. The civil judiciary handles cases related to marriage, family relations and inheritance, involving such matters as forgery of marriage contracts, forgery of proof of inheritance and disputes over inheritance. The jurisdiction of the sharia courts is mentioned exclusively in the laws governing the work of the sharia judiciary. All other matters fall under the jurisdiction of the civil judiciary.

125. Although civil society organizations, particularly women's organizations, are discussing a prohibition on polygamy, to date, no amendments have been made in that regard.

Optional Protocol and amendment to article 20 (1)

126. The Ministry of Foreign Affairs and Expatriates has prepared a study on the importance of accession to the Optional Protocol to the Convention. The study is being considered at the political level. Overall, the idea of accession to the Protocol is viewed favourably. In addition, the State of Palestine expresses its acceptance of the amendment to article 20, paragraph 1 of the Convention.